

# LAND RECLAMATION COMMISSION

STATE OF MISSOURI

P.O. BOX 176

JEFFERSON CITY, MISSOURI 65102

573-751-4041

## Permit To Engage in Surface Mining

LAND RECLAMATION COMMISSION

ISSUES TO

### ASH GROVE CEMENT COMPANY

Pursuant to "The Land Reclamation Act," RSMo, 2001, and on conformity with the statements

In the application, a permit is hereby granted to engage in surface mining of  
limestone in the state of Missouri. The extent of the

Proposed mining operation(s) will be on 83 acres, more or less.

The locations of the operation(s) under this permit is/are as follows: **Renewal**

County	Section	Township	Range	Acres Renewed	Acres New	Total Acres	Site/Stream Name	Site Number
Greene	08, 09	28N	21W	83	0	83	Springfield Plant	0072

This permit may be suspended or revoked upon violation of any or all of the conditions set forth in "The Land Reclamation Act," RSMo. 2001, or in such rules and regulations as are promulgated pursuant thereto by the Land Reclamation Commission.

IN WITNESS WHEREOF I have hereunto set my hand this 21st day of January 2004



DIRECTOR OF STAFF  
Land Reclamation Commission

Permit No. 0048

Effective Date 02/01/2004

Expiration Date 01/31/2005

MO 780-1122 (6-95)

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JAN 2 2004



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION  
**PERMIT RENEWAL FOR INDUSTRIAL MINERAL MINES**

MISSOURI LAND RECLAMATION COMMISSION P.O. BOX 176  
JEFFERSON CITY, MO 65102-0176

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL <b>Ash Grove Cement Company</b>		DATE	
ADDRESS <b>3825 S. Lone Pine</b>	CITY <b>Springfield</b>	STATE <b>MO</b>	ZIP CODE <b>65804</b>
CONTACT PERSON		TELEPHONE NUMBER <b>913-451-8900</b>	

**FEES: COMPLETE SECTION I OR SECTION II**

**SECTION I. Fees: Open pit operators and those mining more than 5,000 tons of sand and/or gravel:**

1. To compute the site fee complete the information below:

SITE NAME OR NUMBER (add a separate sheet for additional sites)	Mark each month that the site will be operated during the permit year	For sites operated less than six months per permit year pay \$150 For sites operated six months or more per permit year pay \$300
1. 0048	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$ 300
2.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
3.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
4.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
5.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
6.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
7.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
8.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
9.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
10.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
<b>TOTAL SITE FEE</b>		<b>\$ 300</b>

2. Acreage Fee \$5 X 83 number of acres bonded ..... \$ 415

3. Annual Permit Fee ..... \$ 500

4. Total Fee (Add totals from 1, 2 and 3) ..... \$ 1,215

NOTE: If Total Fee exceeds \$2,500.00 then pay only ..... \$ 2,500

**SECTION II. FEES: Sand or gravel operators mining less than 5,000 tons per year:**

1. Annual Permit Fee ..... \$ 300

SIGNATURE OF APPLICANT <i>John H. Ross III</i>	TITLE <i>V.P.</i>	DATE <i>12-31-03</i>
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Appeared before me this 31<sup>st</sup> day of December, 2003, John H. Ross III  
to me personally known, who executed the above as their free acts and deeds.

NOTARY PUBLIC EMBOSSEER SEAL	STATE OF <b>Kansas</b>	COUNTY (OR CITY OF ST. LOUIS)  <b>Johnson</b>
	SUBSCRIBED AND SWORN BEFORE ME, THIS DAY OF <u>31<sup>st</sup></u> of <u>Dec</u> YEAR <u>2003</u>	
	NOTARY PUBLIC SIGNATURE <i>Melissa S. Rusch</i>	
	MY COMMISSION EXPIRES <b>10-17-07</b>	
NOTARY PUBLIC NAME (TYPED OR PRINTED) <b>Melissa S. Rusch</b>		USE RUBBER STAMP IN CLEAR AREA BELOW.  

FOR DEPARTMENT USE ONLY: APPROVED BY <i>[Signature]</i>	DATE APPROVED <b>1-13-04</b>	PERMIT NUMBER <b>0048</b>	EXPIRATION DATE <b>1-31-05</b>
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FEB 26 1992

**SITE INFORMATION FORM**

(to be completed for each separate area of disturbance associated with mining operations)

MISSOURI LAND RECLAMATION COMMISSION

Site name or number		Permit number		Company name		
SPRINGFIELD PLANT		1991 #48		Ash Grove Cement Company		
County	1/4 section	Section	Township	Range	Acres	
Greene		8 & 9	28N	21W	Approximately 500	
River or stream name (for in-stream acres)		Mineral commodity Lime from Limestone		Estimated tons/ year (for gravel sites)		

Name of landowner (attach list if more than one)	Address	City	
		Springfield	
Ash Grove Cement Company	Rt. 3, Box 323	State	Zip
		MO	65804
Source of right to mine (check one):			Date of agreement
<input type="checkbox"/> Mineral deed <input type="checkbox"/> Lease <input type="checkbox"/> Warranty deed <input type="checkbox"/> Verbal agreement <input type="checkbox"/> Other (describe):			n/a

Mineral rights owner (attach list if more than one)	Address	City	
n/a		State	Zip
Source of right to mine (check one):			Date of agreement
<input type="checkbox"/> Mineral deed <input type="checkbox"/> Lease <input type="checkbox"/> Warranty deed <input type="checkbox"/> Verbal agreement <input type="checkbox"/> Other (describe):			
n/a			

EACH SITE MUST BE SHOWN ON A MAP AND  
BE INCLUDED IN A PUBLIC NOTICE AND AN APPROVED MINE PLAN

Type of plan (check one): Short term, for one permit year  
 (check one): X Long term, for period through date: 2020 +

Description of site prior to Land Reclamation Commission Permitting (by applicant or prior operator), including soil, vegetation and topography

THIS HAS BEEN AN OPEN PIT MINING SITE SINCE 1903. AS SUCH, A GREAT DEAL OF STRIPPING HAD GONE ON PREVIOUS TO ANY REGULATIONS. WE ARE IN THE CITY LIMITS OF SPRINGFIELD, MO AND THIS SITE IS ZONED "HEAVY INDUSTRIAL." MOST OF OUR MINING OPERATIONS HAS BEEN UNDERGROUND SINCE 1971. THE OPEN PIT MINING OPERATIONS CURRENTLY IN PROGRESS IS TO FURTHER DEVELOP THIS SITE FOR INDUSTRIAL USES, INCLUDING UNDERGROUND STORAGE FACILITIES. VERY LITTLE OF THE AREA WOULD BE DEVOTED TO GREEN AREAS. WHERE NECESSARY, WE WOULD APPLY TOP SOIL AND SEEDING.

OPERATION PLAN - 10 CSR 40-10.020(2)(D)1.

A. Topsoil

Average depth of topsoil, prior to Land Reclamation Commission Permitting: *	Is topsoil to be sold or discarded offsite? (Y or N):
inches	N/A

Describe methods and equipment used for topsoil removal

OVERBURDEN AND/OR ANY TOP SOIL AVAILABLE WILL BE USED TO COVER OUR WASTE DUMPS. THIS WILL BE ACCOMPLISHED WITH FRONT END LOADERS, HAUL TRUCKS, AND A DOZER TO LEVEL AND GRADE.

Describe methods and equipment used for topsoil storage and protection

AS NOTED ABOVE, THERE WILL BE NO NEED FOR STORAGE OF TOP SOIL.

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\* NOTE: AS PER MR. LANE THURMAN, IN THE GREENE COUNTY SOIL CONSERVATION OFFICE, AND THEIR SURVEY BOOK, THIS SOIL IS CLASSIFIED AS SOIL TYPE #941. THIS SOIL TYPE IS DEFINED AS "PITS AND DUMPS". HE WENT ON TO SAY THAT PREVIOUS TO MINING ACTIVITY ON THIS SITE STARTING IN 1903, THERE WAS PROBABLY 4 TO 6 INCHES OF TOP SOIL

Describe methods and location of spoil placement and disposal

On sight disposal of spoils with truck haul.

C. Acid materials

Describe methods and equipment used for handling acid materials  
(if none is anticipated, write "none" below)

None

D. Pit information (give all dimensions in feet)

Describe location and orientation of pit, if not clear on site maps

See sight map.

No Will any excavation be at or within fifty feet (50') of the right-of-way of any public road?

No Will any highwall consisting of unconsolidated materials be left within fifty feet of the right-of-way of any public road?  
(NOTE: For unconsolidated materials left in place, a slope of no more than forty degrees may start near the right of way, and in no case may the excavation be closer to the right of way than fifty feet or twenty-five feet plus one and one-half (1-1/2) times the depth of unconsolidated material, whichever is greater, unless a variance is granted by the Commission.)

No Will any excavation start at or within fifty feet (50') of any property line?  
(NOTE: If the answer is "yes", a safety barrier may be needed.)

Revegetation mix #1	Purpose or land use	Seeding or planting time
n/a	industrial n/a	n/a full n. spring

Describe methods and equipment used for seeding or planting

STANDARD METHODS WOULD BE USED AS REQUIRED TO DEVELOP THESE SMALL GREEN AREAS.

road graders and dozers will be used for grading  
along with other equipment to seed crown vetch

7/22/92

MTK

Lime and fertilizer will be applied according to recommendations made,  
based on an analysis of soil texture and nutrients. Mulch will be  
applied to all slopes exceeding 5:1.

Seeded species	Pounds/Acre	Tree or shrub species	Stems/ Acre
crown vetch	15-20		
N/A	MTK		

Revegetation mix #2	Purpose or land use	B. Seeding or planting time
N/A		

Describe methods and equipment used for seeding or planting

N/A

Lime and fertilizer will be applied according to recommendations made,  
based on an analysis of soil texture and nutrients. Mulch will be  
applied to all slopes exceeding 5:1.

Species	Pounds/Acre	Tree or shrub species	Stems/ Acre
N/A			

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MISSOURI LAND  
RECLAMATION COMMISSION

ATTACH ADDITIONAL SHEETS FOR ADDITIONAL SEED MIXES

Piles of overburden and spoils with a 3:1 slope to be topped with overburden.

Describe the general sequence and timing of the following activities  
Grading

On going throughout life of plant

Replacement of topsoil

Will be an industrial site and no top soil will be applied except for small isolated green areas.

Revegetation

No revegetation planned as it will be an industrial sight, except as noted above.

Average depth of replaced topsoil (inches): n/a

D. USE OF LAND WHEN RECLAIMED

Estimate acreage of each land use below, after reclamation

Wildlife (forest or other habitat with livestock excluded)	
Agricultural (pasture, cropland, and horticultural)	
Development (residential, industrial, and recreational)	100%
Water impoundments (for wildlife, agricultural, or development)	

By my signature, I attest to the following:

- 1) All statements made on this Mine Plan Form are correct, complete, and true, to the best of my knowledge.
- 2) I or the company I am authorized to represent intend(s) to mine in accordance with this Mine Plan Form, and in accordance with the Missouri Land Reclamation Act, Sections 444.760 through 444.789, RSMo (Supp. 1990), and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
- 3) I have obtained the approval of all landowner's for all proposed post-reclamation land uses.
- 4) I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no right to grant such access, I have attached signed affidavits from the landowners granting such access.

Signature of applicant

Title

Date

X Charles D. Newton

Plant Manager

Feb. 18, 1992

Appeared before me this 18<sup>th</sup> Day of February, 19 92,

Charles D. Newton to me personally known,  
who executed the above as their free acts and deeds.

Notary Public:

My Commission Expires on:

6-5, 19 93

State of Missouri

County of Greene

Henry Davis

Approved by (Director's representative)

Date approved

X



Attach the following documents to the Mine Plan Form:

- A. Soil substitution application form, if applicable.
- B. Two copies of a map such that the mine can be located, and distinguished from other mines in the area.
- B. Two copies of a more detailed map, prepared on an original or clearly copied USGS 7-1/2 minute topographical map, county assessor map, A.S.C.S. aerial photo, up-to-date county plat or a different base map with a scale of one inch to six hundred sixty feet (1"=660') or larger.
  1. At minimum, the detailed map must show the following:
    - a. ownership boundaries, and names of owners of surface and subsurface rights to land within and contiguous to the permit area,
    - b. areas mined prior to August 28, 1990,
    - c. boundaries and acreage of each permitted site, and of the area to be affected over the Mine Plan term,
    - d. areas of proposed land uses and revegetation planting mixes.
    - e. public roads within one hundred feet (100') of the proposed permit boundary.
    - f. proposed terraces, waterways and diversions.
    - g. creeks or streams within the proposed permit area,
    - h. date of map preparation, preparer's name and title, north arrow, scale, and section, township and range lines.
  2. The following may be required for clarification:
    - a. abandoned underground and surface mines.
    - b. proposed limits of excavation, and stockpile and topsoil storage areas.
    - c. location of safety barriers, erosion and sediment control devices.
    - d. locations of acid- or toxic-forming materials.
    - e. structures, and natural or cultural features to be protected.

573 - 636 - 2980  
291 - 8616

FIL E: Leo Journagan Construction Company - Permitting - Fair Play Pre-Law Site

July 16, 2004

Dwayne Harrison  
Leo Journagan Construction Company  
3003 E. Chestnut, Suite 1200  
Springfield, Missouri 65802

Dear Mr. Harrison:

I am writing this correspondence in regards to the abandoned limestone quarry that was recently reopened and mined near Fair Play, Missouri. GPS data obtained from a field inspection on April 27, 2004 indicates that your company's most recent entry has affected approximately 9 acres of land in section 4, township 33 north, range 4 west, in Polk county. Review of past aerial photos, information from Midwest Environmental Consultants, and two field inspections indicates that your company's recent mining and excavation was in fact completed on lands mined prior to January 1, 1972. Although this site may have been considered "pre-law" in accordance with the Land Reclamation Commission's pre-law policy, it is the companies responsibility to provide proof and obtain an exemption from the Land Reclamation Commission prior to operating in a pre-law site. We appreciate the good faith efforts you afforded in hiring Midwest Environmental Consultants to assist your company in researching this pre-law area. However, in the future your company will need to submit an exemption request along with supporting documentation prior to proceeding with mining activities on these types of pre-law sites.

During our follow-up inspection on June 23, 2004, Andy Reed and I were pleased with the reclamation work that was completed at this site. Most of the highwalls were backsloped to a 3:1 or lesser slope and the bulk of the disturbance area was seeded and established with a stand of cool-season grass. Our only areas of concern were the extremely large overburden pile that appeared to be poorly vegetated and the steep, poorly-vegetated slopes located above the consolidated rock on the north side of the site.

Additional grading does not appear necessary, however, it is recommended that stability of these two areas be improved through additional broadcast seeding of grass. Furthermore, we recommend tree seedlings or cuttings be planted primarily along the steep slopes above the highwall. Appropriate tree species may include Sycamore, Cottonwood, Pin Oak, and Eastern Red Cedar trees. Additional tree planting and establishment information may be obtained from the Missouri Department of Conservation.

Because your company has operated within the boundaries of the pre-law footprint and because no additional mining appears to be continued at this site, we have determined that this site currently is not subject to the Missouri Department of Natural Resources, Land Reclamation Program's permitting requirements. However, should your company decide to reenter into this or any other pre-law site, a pre-law exemption must be requested and approved prior to conducting any mining activity. I have enclosed a copy of a letter and pre-law policy, dated June 14, 2004, that was recently sent to John View, III of your company. Again, in the future, all pre-law sites must receive an exemption prior to conducting any industrial mineral mining operations on pre-law sites.

If you have any questions regarding this correspondence please feel free to give me a call at (573) 751-4041.

Sincerely,

LAND RECLAMATION COMMISSION

Michael Mueller  
Environmental Specialist

Enclosure

C: Mr. Nathan Muenks  
Midwest Environmental Consultants  
2014 Williams St.  
Jefferson City, MO 65109

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DEC 07 2000

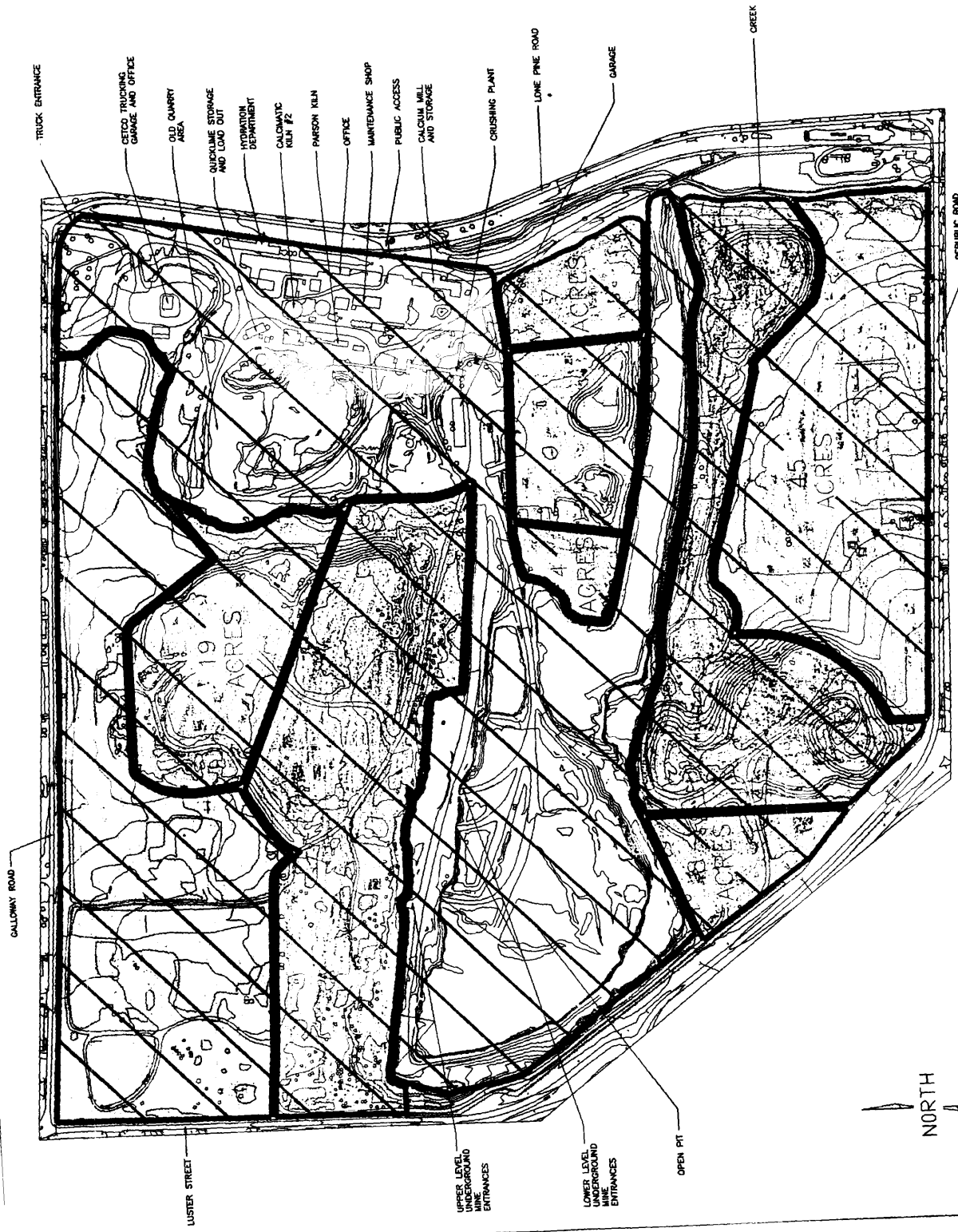
MISSOURI LAND RECLAMATION COMMISSION

ASH GROVE CEMENT CO.	
DATE	1-15-97
PROJECT	10-1-61
SCALE	1" = 100'
DATE	1-15-97
PROJECT	10-1-61
SCALE	1" = 100'
LAND RECLAMATION DETAILS	
PERMIT No. 48 - DNR	
1998	

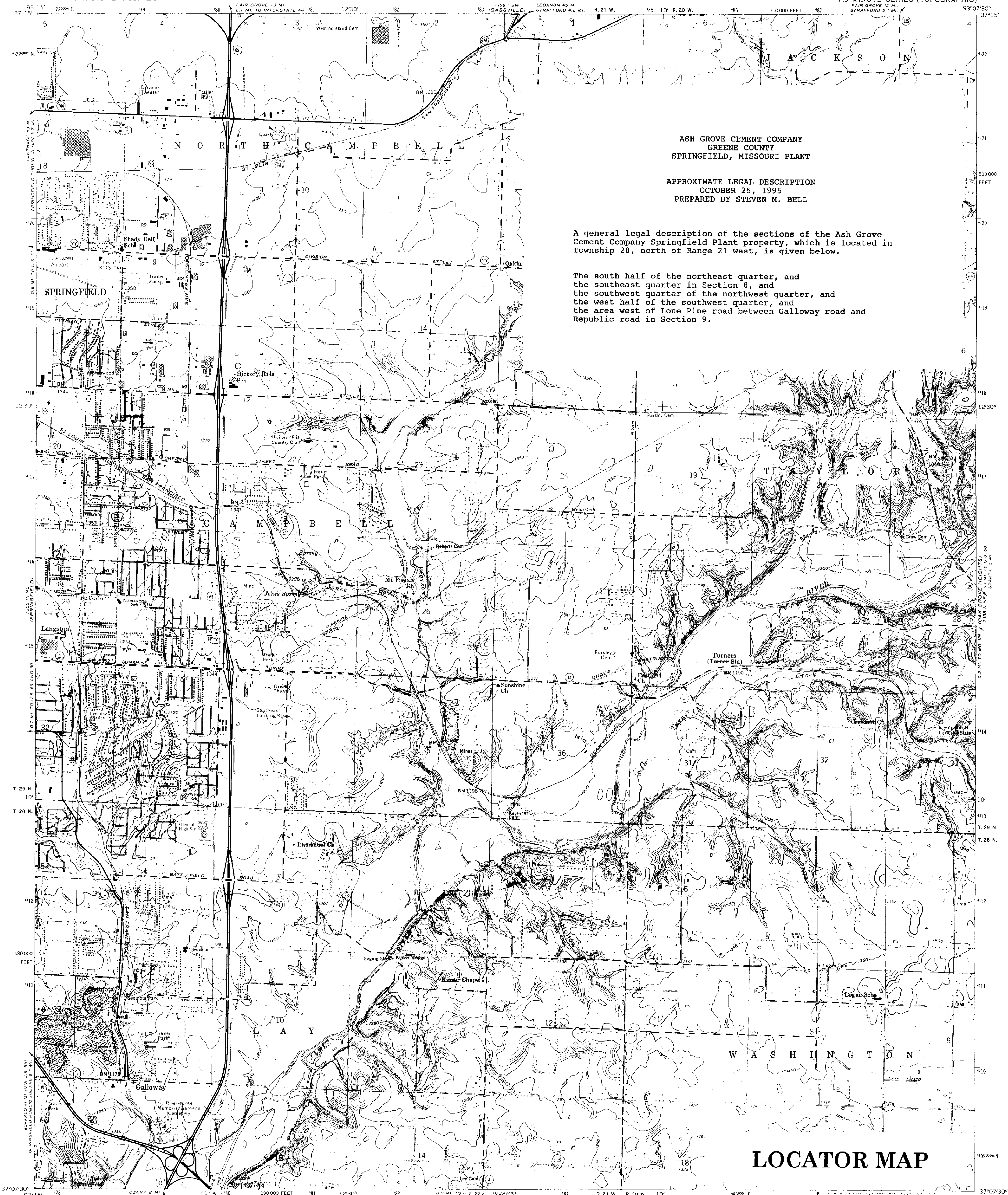
ASH GROVE CEMENT COMPANY  
GREENE COUNTY, MISSOURI  
SPRINGFIELD, MISSOURI  
APPROXIMATE LEGAL DESCRIPTION  
PREPARED BY STEVEN M. BELL  
A GENERAL LEGAL DESCRIPTION OF THE  
PROPERTY OF THE ASH GROVE CEMENT CO.  
SPRINGFIELD, MISSOURI, IS LOCATED  
IN TOWNSHIP 38S, RANGE 21E,  
THE SOUTH HALF OF THE NORTHEAST  
QUARTER  
THE SOUTHWEST QUARTER OF SECTION 8  
AND SOUTHWEST QUARTER OF THE  
NORTHWEST QUARTER  
AND WEST HALF OF THE SOUTHWEST  
QUARTER  
AND THE AREA WEST OF LONE PINE ROAD  
AND THE GALLOWAY ROAD AND REPUBLIC  
ROAD IN SECTION 9.

LEGEND

- PERMANENT (RECLAIMED) AREAS
- AREAS PREVIOUSLY MINED/MILL AREA  
(PRIOR TO 8/28/90)
- PREVIOUSLY DISTURBED AREAS  
(FUTURE MINE RESERVES)
- UNDISTURBED AREAS  
(FUTURE MINE RESERVES)







ASH GROVE CEMENT COMPANY  
GREENE COUNTY  
SPRINGFIELD, MISSOURI PLANT

APPROXIMATE LEGAL DESCRIPTION  
OCTOBER 25, 1995  
PREPARED BY STEVEN M. BELL

A general legal description of the sections of the Ash Grove Cement Company Springfield Plant property, which is located in Township 28, north of Range 21 west, is given below.

The south half of the northeast quarter, and the southeast quarter in Section 8, and the southwest quarter of the northwest quarter, and the west half of the southwest quarter, and the area west of Lone Pine road between Galloway road and Republic road in Section 9.

LOCATOR MAP

Maped, edited, and published by the Geological Survey  
Control by USGS and USC&GS  
Topography from aerial photographs by photogrammetric methods  
Aerial photographs taken 1959. Field check 1959-1960  
Polyconic projection. 1927 North American datum  
10,000-foot grid based on Missouri coordinate system, central zone  
1000-metre Universal Transverse Mercator grid ticks,  
zone 15, shown in blue  
Red tint indicates area in which only  
landmark buildings are shown  
Revisions shown in purple compiled from aerial photographs  
taken 1970 and 1975. This information not field checked  
Purple tint indicates extension of urban areas

SCALE 1:24 000  
1 000 0 1000 2000 3000 4000 5000 6000 7000 FEET  
1 KILOMETRE  
CONTOUR INTERVAL 10 FEET  
NATIONAL GEODETIC VERTICAL DATUM OF 1929

ROAD CLASSIFICATION  
Heavy-duty ——— Light-duty ———  
Medium-duty - - - - - Unimproved dirt - - - - -  
U.S. Route ○ State Route ○

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092  
AND BY THE DIVISION OF RESEARCH AND TECHNICAL INFORMATION  
MISSOURI DEPARTMENT OF NATURAL RESOURCES, ROLLA, MISSOURI 65401  
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



GALLOWAY, MO.  
N3707.5-W9307.5/7.5

1960  
PHOTOREVISED 1970 AND 1975  
AMS 1358 II NW-SERIES V879

FILE COPY